Appl. No. 09/874,795   <u>PATENT</u>
Amdt. dated May 22, 2006
Reply to Office Action of January 26, 2006

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<u>REMARKS/ARGUMENTS</u>

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Claims 1, 4-20, 23-31, 34-43 were pending. Claims 1, 20, 31, 42, and 43 have been amended, leaving claims 1, 4-20, 23-31, and 34-43 pending. Claims 1, 4-20, 23-26, and 34-43 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 4,614,861 issued to Pavlov (hereafter "Pavlov") in view of U.S. Patent No. 5,764,766 issued to Spratte (hereafter "Spratte") in further view of U.S. Patent No. 5,731,575 issued to Zingher et al. (hereafter "Zingher"). Applicants have submitted a Request for Continued Examination herewith to allow entry of the amendments. Applicants aver that no new matter has been added in this response.

<u>Examiner Interview</u>

Applicants appreciate the telephone interview with Examiner on April 11, 2006, where claim amendments and the cited prior art were discussed.

<u>§103 Rejections</u>

In the Office Action, the Examiner rejected claims 1, 4-20, 23-26, and 34-43 under 35 USC §103(a) as being unpatentable over Pavlov in view of Spratte, in further view of Zingher.

<u>Claim 1</u>

Claim 1 is allowable over Pavlov, Spratte, and Zingher alone or in combination, as those references fail to disclose or suggest all the elements of claim 1. For example, claim 1 recites in part "a seed-based data generation module..configured to generate an output datum by digitally processing [a] derived seed in accordance with [a] seed-access code relationship, wherein the output datum is a function of [an] input access code".

Pavlov discloses receiving a PIN from a user and comparing that PIN to a stored PIN and upon favorable comparison, generating a PIN validation signal that triggers the generation of a key, among other steps. It should be noted that a valid key is generated when the

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correct PIN is entered. Pavlov does not appear to disclose or suggest that an invalid key be generated when an incorrect PIN is entered. Thus, even if Pavlov's key output could be considered as teaching the claimed output datum and Pavlov's PIN could be considered as teaching the claimed user's access code, Pavlov does not teach all of the elements of the claim. For example, Pavlov does not disclose or suggest an output datum is a function of an input access code.

Spratte does not make up for the claim elements not taught or suggested in Pavlov. For example, while Spratte discloses combining additional text, referred to as salt "S", to a primary secret key (K_p) and the results are hashed to create an encryption key K_e, Spratte is not directed to considering user access codes. Furthermore, Spratte does not disclose or suggest generating an output datum that has the characteristic appearance of the valid datum where the output datum is a function of an input access code.

Zingher discloses an ATM that looks out for a personal distress number (PDN) in addition to a user's PIN. In Zingher's system, when the user enters a PIN, the system compares it to the user's stored PIN. If the PIN matches, the transaction proceeds normally and access is granted. If it doesn't match, the user's entry is compared with the user's stored PDN. If it matches, a distress signal is sent and the ATM behavior is altered to take into account that the user entered the PDN rather than the PIN. Some of the behavior is altered in a way that someone forcing the user to use the ATM would not immediately notice that the number entered was a PDN rather than a PIN. Zingher *does not disclose an output datum as a function of an input access code as claimed* (emphasis added). For example, if an output datum was the display on the ATM machine showing the user's bank balance, entering the PDN does not vary the display. On the contrary, Zingher discloses trying to fool a potential thief by not changing the display which could alert the thief that an alarm code was used, but rather by slowing the process sufficiently to allow the authorities to arrive.

In any of the three cases described above, the claimed output datum is *not generated as a function of the input access code* (emphasis added). Even if something that the system generated could be interepreted as being an output datum, there does not appear to be

anything in Zingher that would suggest that such a thing might take on a characteristic appearance when other than the correct user access code is entered.

Therefore, Applicants submit that claim 1 is allowable over the cited references. As claim 1 is allowable, claims 4-19 dependent therefrom are also allowable for at least that reason.

Claim 20

Claim 20 recites similar features as those recited in claim 1, and thus claim 20 should be allowable for at least similar reasons as claim 1. As claim 20 is allowable, claims 23-30 dependent therefrom are also allowable for at least that reason.

Claim 31

Claim 31 recites similar features as those recited in claim 1, and thus claim 31 should be allowable for at least similar reasons as claim 1. As claim 31 is allowable, claims 34-41 dependent therefrom are also allowable for at least that reason.

Claim 42

Claim 42 recites similar features as those recited in claim 1, and thus claim 42 should be allowable for at least similar reasons as claim 1.

Claim 43

Claim 43 recites similar features as those recited in claim 1, and thus claim 43 should be allowable for at least similar reasons as claim 1.
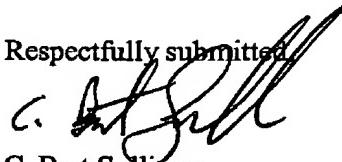
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

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